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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,046	12/15/2005	Jozsef Bognar	U 015821-9	8271
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LADAS & PARRY LLP 26 WEST 61ST STREET NEW YORK, NY 10023				
EXAMINER				
SINHA, RITA K				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/540,046

**Applicant(s)**

BOGNAR, JOZSEF

**Examiner**

RITA K. SINHA

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 June 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-893)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 6/22/2005

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 11, 18 and 22-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Johnson (5,974,709).

As per claim 1, Johnson discloses a display apparatus for changing images, comprising a, a cassette unit (53) adapted for replacement as a single unit, the cassette unit comprising multiple sheet-formed image carriers (image bearing panels, Figures 3-6), the image carrier comprising image parts constituting at least two different images (See Figures 3-6), and the image carriers being subdivided into panels (slats, 2) adapted for sliding between each other, the cassette unit further comprising a back plate (rear panel, 50) covering a side of one of the image carriers; moving means (driving mechanism) for moving the different image carriers relative to each other (See Figure 10a); and a frame (31) for supporting the cassette with the image carriers and the moving means; characterized in that one of the image carriers is fixedly attached to the back plate along its edges; the back plate is movable relative to the frame, and the moving means is adapted for moving the back plate (See Column 5 Lines 13-19).

As per claim 2, Johnson discloses that the image carriers are substantially two-dimensional plates, with a negligible thickness relative to the size of the image (See Column 4 Lines 2-4; See Figure 7).

As per claim 3, Johnson discloses that the image carriers are made of paper (See Column 2 Lines 63-65).

As per claim 4, Johnson discloses that an image is displayed by a pair of image carriers (See Figures 4-6).

As per claim 5, Johnson discloses that an image is displayed by a single image carrier (panel, 1; See Figure 3).

As per claim 11, Johnson discloses that the frame encloses the edges of at least one of the image carriers and the back plate and/or the cover sheet, and the apparatus comprises a friction reducing insert (32-34) between the edges and the frame (See Figure 10B).

As per claim 18, Johnson discloses that that the back plate is movable under the force of gravity (See Column 5 Lines 13-19).

As per claim 22, Johnson discloses a detachable connection between the moving means and the back plate (See Figure 10B).

As per claim 23, Johnson discloses that the detachable connection automatically engages and disengages when the cassette unit is inserted into the frame or removed from the frame, respectively (See Figure 10B).

As per claim 24, Johnson discloses a display apparatus for changing images, comprising a cassette unit (53) adapted for replacement as a single unit, the cassette

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unit comprising multiple sheet-formed image carriers (image bearing panels, Figures 3-6), and the image carrier comprising image parts constituting at least two different images (See Figures 3-6), and the image carriers being subdivided into panels (slats, 2) adapted for sliding between each other, the cassette unit further comprising a back plate (rear panel, 50) and a front cover sheet (30) covering the front and back side of the image carriers (See Figure 10B); moving means (driving mechanism) for moving the different image carriers relative to each other (See Figure 10a); and a frame (31) for supporting the cassette with the image carriers and the moving means, characterized in that one of the image carriers is fixedly attached to the back plate along its edges (See Column 5 Lines 8-13); the cassette unit being formed exclusively of flexible sheets (See Column 4 Lines 7-9) substantially without any empty volume within the cassette unit; and the sheets covering the image carriers fits closely to the image carriers (See Figure 7).

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6, 14-15, 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (5,974,709) as applied to claim 1 above, and further in view of Rutchick (3,430,372).

As per claim 6, Johnson discloses an image carrier. However, it fails to disclose that there is an image on both sides of the image carrier.

Rutchick discloses the concept of an image carrier that has an image on both sides (See Column 2 Lines 1-2).

From this teaching of Rutchick, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the image carrier of Johnson to include the two sided display of Rutchick for the purpose of broadening the variety of messages that can be displayed by one device.

As per claim 14, Johnson as modified by Rutchick discloses the above claimed limitations. Rutchick discloses that the moving means comprises a disk (42) adapted for rotation in a plane parallel to the plane of the image carriers, means for transforming the rotating movement of the disk into a straight movement, and a motor having an axle parallel with the plane of the disk (See Column 3 Lines 70-75), the axle being in a frictional contact with the edge portion of the disk.

As per claim 15, Johnson as modified by Rutchick discloses the above claimed limitations. Johnson discloses a magnetic cylinder (161) being parallel with the axle of the motor, the magnetic cylinder contacting the other side of the disk and pressing the edge portion of the disk to the axle of the motor (See Figure 11).

As per claim 17, Johnson as modified by Rutchick discloses a moving means that comprises a disk having a magnetic material. Johnson further discloses a magnetic cylinder (161) attached to the axle of the motor and the magnetic cylinder being in a frictional contact with the edge portion of the disk (See Figure 11).

As per claim 19, Johnson as modified by Rutchick discloses the above claimed limitations. Johnson discloses a magnetic connection (161) between the moving means and the back plate of the cassette unit (See Figure 11).

5. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (5,974,709) in view of Rutchick (3,430,372) as applied to claim 19 above, and further in view of Faggiano (4,852,284).

As per claim 20, Johnson as modified by Rutchick disclose the above claimed limitations. However it fails to disclose two ferromagnetic plates serving as means for closing a magnetic circle of the magnetic lines generated by the magnets.

Faggiano discloses the concept of two ferromagnetic plates (Claim 1).

From this teaching of Faggiano, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the moving means of Johnson as modified by Rutchick to include the ferromagnetic plates of Faggiano for the purpose of improving thermal dissipation.

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (5,974,709) as applied to claim 1 above, and further in view of Juern (6,775,939).

As per claim 12, Johnson as modified by Rutchick discloses a back plate. However, it fails to disclose that the back plate is made of a transparent material.

Juern discloses a back plate that is made of transparent material (See Figures 4 and 6).

From this teaching of Juern, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the back panel of Johnson as modified by Rutchick to include the transparent material of Juern for the purpose of enabling both sides of the image to be displayed on both sides of the device.

7. Claims 7-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (5,974,709) as applied to claim 1 above, and further in view of Billings (5,551,905).

As per claim 7, Johnson discloses that the frame comprises a second cover sheet, and the moving means is adapted for moving the second cover sheet and the back plate simultaneously. However, Johnson fails to disclose that they move in opposite directions.

Billings discloses the concept of a moving means that moves sheets in opposite directions (See Column 3 Lines 34-49).

From this teaching of Billings, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the moving means of Johnson to include the opposite direction movements of Billings for the purpose of displaying the images found on both sides of the image carrier.

As per claim 8, Johnson as modified by Billings discloses the above claimed limitations. Billings discloses that a second cover sheet is made of a transparent material (See Figure 17).

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8. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (5,974,709) in view of Billings (5,551,905) as applied to claim 7, and further in view of Carlin et al. (6,532,691).

As per claim 13, Johnson as modified by Billings discloses the image carrier attached to the cover sheet and/or to the back plate. However, it fails to disclose that it is attached with a double-sided adhesive tape.

Carlin discloses the concept of an image carrier attached with double sided adhesive tape (76).

From this teaching of Carlin, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the image carrier of Johnson as modified by Rutchick and Billings to include the double sided adhesive of Carlin for the purpose of providing an easy and secure attachment of the image carrier to back plate.

9. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (5,974,709) as applied to claim 1, and further in view of Erickson (6,223,648).

As per claim 21, Johnson discloses a moving means. However, it fails to disclose that the moving means is an artificial muscle.

Erickson discloses the concept of a moving means that is an artificial muscle (20).

From this teaching of Erickson, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the moving means of Johnson to include the artificial muscle of Erickson for the purpose of enabling.

10. Claims 9-10 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Johnson (5,974,709) as applied to claim 1 above, and further in view of Machnacz (3,665,093).

As per claim 9, Johnson discloses a moving means. However, it fails to disclose that it comprises an electric motor with an axle, and a cord wound onto the axle, the moved cover sheet being attached to the cord.

Machnacz discloses the concept of an electric motor (21) with an axle (20), and a cord (16) wound onto the axle, a moved cover sheet (10) being attached to the cord.

From this teaching of Machnacz, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the moving means of Johnson to include the moving means of Johnson for the purpose of enabling the sheets to be moved automatically, without the need of manual operation.

As per claim 10, Johnson as modified by Machnacz discloses the above claimed limitations. Machnacz discloses that the cover sheet is disposed vertically, and the cord lowers or raises the cover sheet (See Column 2 Lines 13-21).

As per claim 16, Johnson as modified by Machnacz discloses the above claimed limitations. Machnacz discloses that the moving means comprises a motor and a cord

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attached to an axle of the motor, the cord changing its length under the effect of twisting (See Column 2 Lines 13-21).

### ***Conclusion***

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ramsay (4,682,430) discloses a price chip support strip. Baur (4,241,529) discloses a picture viewer that displays individual sheets. Rutchik (4,102,068) discloses a display device arranged to present three different displays.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RITA K. SINHA whose telephone number is (571)270-3027. The examiner can normally be reached on M-F 730-500.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lesley Morris can be reached on (571) 272-6651. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

RKS

/Lesley D. Morris/  
Supervisory Patent Examiner, Art Unit 3611